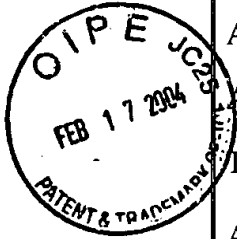


2651/4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: David H. Davies; David L. Blankenbeckler; Michael Braitberg
Assignee: DPHI Acquisitions, Inc.
Title: First-side Dual Layer Optical Data Storage Disk and Method of Manufacturing the Same
Application No.: 09/764,042 Filing Date: 01/16/2001
Examiner: Krynski Group Art Unit: 2651
Docket No.: M-9998 US

Irvine, California
February 10, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Enclosed with this statement are the following:

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated for a specific citation*).

Complete copies are not submitted of U.S. applications per 37 C.F.R. §1.98(a)(2)(iii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevancy is provided pursuant to 37 C.F.R. §1.98(a)(3). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. 57 F.R. 2021 (1/17/92). If a written

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Serial No. 09/764,042

English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement. 37 C.F.R. §1.98(c).

This statement should be considered because:

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within 3 months of the application filing date;
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of a first Office action *on the merits*,
-- OR --
- (4) It is being filed before the mailing date of a first Office action *after the filing of an RCE*

whichever occurs last.

☐ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first)

-- AND (check at least one of the following) --

- ☐ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p)
-- OR --
- ☐ (2) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e)

☐ Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (2) It is accompanied by a STATEMENT TO ACCEPT INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d);
-- AND --
- (3) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);
-- AND --
- (4) The Issue Fee has not been paid prior to the submission.

- ☐ **Fee Authorization.** The Commissioner is hereby authorized to charge the \$180.00 fee required for this Information Disclosure Statement to Deposit Account No. 50-2257. Please charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2004.



Eric Hoover

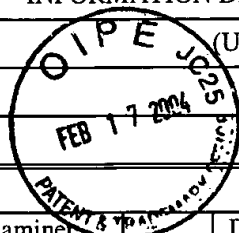
2/10/2004
Date of Signature

Respectfully submitted,



Jon W. Hallman
Attorney for Applicants
Reg. No. 42,622

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| U.S. Department of Commerce, Patent and Trademark Office | | | | Atty Docket No. | | Serial No. | | |
| | | | | M-9998 US | | 09/764,042 | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | Applicant(s) | | | | |
| (Use several sheets if necessary) | | | | David H. Davies et al. | | | | |
| | | | | Filing Date | | Group | | |
| | | | | 01/16/2001 | | 2651 | | |
| U.S. Patent Documents | | | | | | | | |
| *Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | | |
| | AA | 5,154,957 | 10/13/1992 | Yamada et al. | | | | |
| | AB | 6,130,871 | 10/10/2000 | Watabe | | | | |
| | AC | 6,154,437 | 11/28/2000 | Utsunomiya et al. | | | | |
| | AD | 6,269,062 | 07/31/2001 | Minemura et al. | | | | |
| | AE | 6,382,955 | 05/07/2002 | Sandstrom | | | | |
| | AF | 6,404,708 | 06/11/2002 | Lee | | | | |
| | AG | 6,580,683 | 06/17/2003 | Braitberg et al. | | | | |
| | AH | 2002/0093901 | 07/18/2002 | Davies et al. | | | | |
| | AI | 2002/0094405 | 07/18/2002 | Medower et al. | | | | |
| | AJ | 2002/0021657 | 02/21/2002 | Lee et al. | | | | |
| Foreign Patent Documents | | | | | | | | |
| | | | | | | | Translation | |
| | Document | Date | Country | Class | Subclass | Yes | No | |
| | AK | EP1126446 | 02/12/2001 | EP | | | | |
| | AL | WO0225649 | 09/19/2001 | WO | | | | |
| | AM | WO0175872 | 03/26/2001 | WO | | | | |
| | AN | | | | | | | |
| | AO | | | | | | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
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| | AR | | | | | | | |
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| | | | | | M-9998 US | | 09/764,042 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | | Applicant(s) | | | |
| (Use several sheets if necessary) | | | | | David H. Davies et al. | | | |
| | | | | | Filing Date | | Group | |
| | | | | | 01/16/2001 | | 2651 | |

| U.S. Patent Documents | | | | | | | |
|-----------------------|----|-----------------|------------|-----------------------|-------|----------|----------------------------|
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
| | AA | 2003/0161254 | 08/28/2003 | Blankenbeckler et al. | | | |
| | AB | 2002/0136984 | 09/26/2002 | Blankenbeckler et al. | | | RECEIVED |
| | AC | | | | | | FEB 24 2004 |
| | AD | | | | | | |
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| Foreign Patent Documents | | | | | | | Translation | |
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| | AL | | | | | | | |
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| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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